

Law Enforcement News

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Ongoing Mass. road-detail issue is proving an asphalt jungle

Police groups vow to fight attempted takeback of traffic-control turf

The co-sponsor of legislation that would alter Massachusetts' time-honored — and controversial — practice of assigning police to control traffic at virtually every road construction site says the proposed law would save the state millions of dollars by privatizing the function in certain situations.

"I think there's some legitimate public policy interests in using police in various situations to protect the public safety. But the other 49 states seemed to have survived just fine using other systems and I think Massachusetts can, too," said Representative Paul Demakis (D-Boston), who, with Representative David Cohen (D-Newton), introduced the bill in late June.

Their action comes amid several initiatives at the local level to curtail

the longtime practice of providing police details at virtually every road construction or utility worksite. Supporters of the reform effort have called the practice a sacred cash cow for police, who are paid at least \$25 an hour and who are guaranteed a minimum four-hour assignment. Police unions argue that the assignments are protected through collective bargaining agreements and also cite public safety concerns. [LEN, May 15, 1995.]

A series of articles in The Boston Globe and other Massachusetts newspapers have focused on police road details, putting the practice under the critical eye of the public, which is demanding changes, Demakis told Law Enforcement News.

Noting that past efforts to change the practice at the legislative level

have met with vociferous resistance from police unions, Demakis said: "There's a strong perception that as a result of that, no change will happen because of the power of the police unions. However, this year because of the [newspaper] articles, the public became aware of the great cost of police details in Massachusetts and the fact that we're the only state that doesn't use flaggers or other traffic control devices in lieu of the police."

The bill would not bar the use of police at construction or utility worksites, said Demakis, but instead would allow "a rather extensive police detail presence." Police chiefs would be permitted to offer voluntary road detail assignments at any traffic lane where the posted speed is greater than 50 m.p.h., and at construction sites of 500 feet or greater.

It would give the state Transportation Secretary the authority to devise regulations that would "prescribe other circumstances where the public safety might apply" and warrant the presence of a police detail. It would also allow the state Executive Office of Transportation to use trained and certified flaggers at state road worksites.

But the provision of the bill that is expected to generate the strongest police opposition is the one that gives cities and towns the right to establish pay scales for the voluntary details. Nor would officers be guaranteed a mini-

Public safety is cited as a concern, but to government and police officers alike, the root issue boils down to money.

mum four-hour assignment.

Demakis, fully expects continued law enforcement opposition to the measure, which the Legislature will consider in the fall. But, he said, "I'm optimistic that enough public attention has been drawn to the issue that there will be some changes made. It may not be the adoption of our bill in its current form, but I think there's a reasonably good chance that the current system will not survive intact."

Also at the state level, Senator James P. Jajuga (D-Methuen) is conducting a survey about policies and practices

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DoJ grants help to assure that criminals can't hide from their past

Twelve states will receive grants of up to \$3.4 million to improve their criminal records systems, which eventually will enable them to access interstate files under the FBI's National Instant Criminal Background Check System, the Justice Department announced last month.

The \$20 million in awards — part of a total of \$88 million that has been budgeted for the National Criminal History Improvement Program — will enable the FBI to include over one-third of all U.S. criminal history records in its NICBC system. Currently, about half of the nation's 50 million criminal history records are accessible, but only a quarter are both accessible and include dispositions.

Law enforcement officials have long pointed out that the lack of records without dispositions hobbles their efforts to identify suspects with prior convictions. The new system, which is expected to be fully operational in 1998, will allow states to have immediate access to full interstate criminal records.

States receiving awards include:

Arkansas, \$659,390; California, \$3.4 million; Georgia, \$1.5 million; Iowa, \$792,036; Missouri, \$1.6 million; Nebraska, \$830,330; New York, \$4.7 million; North Dakota, \$556,365; Pennsylvania, \$2.6 million; South

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Oregon SP code of ethics stirs up short-lived tempest

Oregon State Police Supt. Leron Howland last month reversed a directive that required every sworn officer of the agency to sign off on a new code of ethics, after meeting stiff resistance from the State Police union and its members, who refused to cooperate with the order.

Instead, only new recruits will have to sign the new "Code of Ethical Conduct," according to State Police spokesman Lieut. Bernie Giusto. The document will be included in the agency's procedure and policy handbook and in each district's briefing folder, and current troopers will sign their initials indicating they've read and understood its contents.

In early July, the code was distributed to the rank and file, who were asked to sign and return it to the agency's Salem headquarters. While the document appears innocuous enough and resembles ethics codes in place in most law enforcement agencies, many Oregon troopers balked at having to sign it. "Less than a majority" of the 780-officer agency did so, Giusto said.

"I've never seen anything put out by this organization that created such widespread discontent as this did," said Senior Trooper Jim Botwinis, a

16-year veteran of the agency who is the president of the Oregon State Police Officers Association. "The document on its face does not look all that bad until you really read the fine lines and have some basic understanding of the disciplinary process that goes on in this agency under the current superintendent. It was nothing more than a slap in the face to the 99-plus percent of the good employees in this agency."

Because of the widespread opposition to the order, Howland reversed it on July 11 because "he didn't want hard feelings over something that was supposed to be a positive development for the agency," said Giusto. The signed directives were returned to the officers, he added.

Many of those who refused to sign were veteran officers who mistakenly felt the agency was questioning their integrity, Giusto told Law Enforcement News. "That certainly hits the nail on the head," agreed Botwinis.

The union president said it wasn't the content of the code as much as the process by which it came into being that angered troopers. It was developed by a 15-member committee of field officers and supervisors, who offered recommendations on imple-

mentation that were apparently ignored by senior officials, said Botwinis, who added he attended a couple of the committee's sessions but had no direct input in developing or implementing the code.

"When it has the ramifications it was going to have, it should be no different than a business with a new product they're trying to sell. They don't just throw it on the shelves in the store and expect people to walk up and automatically buy their product. This thing just all of a sudden came out...and no explanation as to why it came about, where it came from, what its intent is or what the department intended on doing with it," Botwinis told LEN.

Giusto acknowledged that the code "wasn't marketed as well as it should have been," he said. "There was a

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What They Are Saying:

"It was nothing more than a slap in the face to the 99-plus percent of the good employees in this agency."

— Senior Trooper Jim Botwinis, president of the Oregon State Police Officers Association, on the State Police's attempt to enforce the signing of a code of ethics by troopers. (1:4)

Reminder to Readers:

Law Enforcement News is only published once each month in July and August. We will resume our regular twice-monthly publishing schedule in September.

Around the Nation

Northeast



CONNECTICUT — A 90-day suspension for drivers under 21 found with more than a .02 percent blood-alcohol level is the key feature of a new drunken driving law, described as the nation's toughest, that was signed by Gov. Bruce Rowland in July.

DELAWARE — Under a law signed by Gov. Tom Carper on July 12, thieves can now get up to a year more in prison for stealing from an elderly person over age 60 than for stealing from a younger victim.

DISTRICT OF COLUMBIA — Armed with orange traffic cones, District police are trying a new strategy to combat prostitution: closing off certain streets from midnight until the morning rush hour. With no traffic, there are no customers for prostitutes. While there has been a marked increase in prostitution activity of late, said police, the number of arrests through May of this year is down by about 40 percent compared with the same period in 1994. The drop in the number of arrests could be attributed in part to police unhappiness over cuts in pay and overtime, said Assistant Police Chief Larry D. Soulsby.

MAINE — The state Supreme Court ruled July 13 that off-duty, out-of-uniform officers may stop drunken driving suspects.

Six police officers have been assigned to patrol the Old Port district of Portland for the rest of the summer, in hopes of stemming a recent spate of rowdy behavior and brawling. However, the question of paying the \$15,000 cost of sustaining the assignment all summer remains at issue. City officials argue that the Portland Downtown District should put up most of the money, but the business organization believes that the city should pay half. The money will pay for five patrol officers on foot or horseback and a supervisor to work from 9 P.M. till 3 A.M. on Friday and Saturday nights.

MARYLAND — More than a dozen people were wounded and three people were killed in the three days following the July 7 suspension of a teen curfew in Baltimore. Only one of those murdered was over 20 years old. The curfew was suspended after the state Supreme Court struck down a similar measure in Frederick. City Council President Mary Pat Clarke said that an emergency meeting will be called to alter the law so it can be reinstated.

MASSACHUSETTS — Six new Fall River officers out a contingent of 46 will be funded through a grant by the Justice Department's Office of Community Oriented Policing Services (COPS). About \$37.3 million has been awarded to the state thus far by COPS.

NEW HAMPSHIRE — A proposal by Republican legislators that vandals be publicly spanked on their bare buttocks will be fought by the ACLU, the organization said last month.

NEW JERSEY — Under a new law, in-home care providers will undergo a

criminal records check for child abuse every three years when they register with the state.

Former Hanover Township Police Chief John Deventer, 65, was killed on July 14 while escorting an elderly couple to a Newark cemetery. The unarmed former chief, a 34-year veteran who had retired in November, was fatally shot in the stomach when he tried to intervene in an attempted robbery.

Paterson housing police officer Ronald Cohen returned to work June 19 after being cleared in the death of an unarmed teen-ager during a drug bust on Feb. 21. The shooting of Lawrence Meyers, 16, sparked several days of unrest. As a condition of Cohen's return, his use of a weapon is restricted. He will begin work in the radio room.

NEW YORK — Some 180 undocumented immigrants serving prison time in state facilities will be deported under a law passed earlier this year that permits the release and deportation of nonviolent immigrant offenders before serving their minimum sentences. More than half of the offenders, said Gov. George Pataki, are from the Dominican Republic and Colombia, and most are in prison on drug charges.

Westchester County last month received a military helicopter free of charge from the U.S. Army Surplus program. The unarmed Blue Thunder helicopter is equipped with radar that will make it easier for police chasing suspects on foot. It also has a powerful spotlight and can travel at speeds of up to 139 miles an hour. The helicopter will be made available to all local police departments in the county.

If homicide rates continue to fall at their current dramatic level, New York City will end 1995 with the fewest homicides recorded since 1970 — 1,117. Murder rates fell by nearly a third for the first half of 1995 compared to the same period a year earlier. The 31-percent drop in murders, coupled with a 22-percent drop in robbery, is being touted as the steepest drop in crime in city history.

Three of the four youths charged in the brutal beating of an off-duty New York City transit police sergeant last October were convicted July 12 of first-degree assault, but acquitted of attempted murder charges. Sgt. Louis Cosentino, 56, was beaten so badly in the attack outside his Brooklyn home that his face is now held together by 30 titanium pins and 7 plates. The three convicted defendants, Ralph Alio, 17, Jason Sellitti, 19, and Michael Schollin, 20, could face 5 to 15 years in prison.

Only seven New York City police officers face disciplinary charges in the so-called "animal house" scandal that took place in Washington, D.C. in May during Police Memorial Week. Although initial reports indicated that hundreds of officers had engaged in drunken rowdy behavior police officials conceded that they had been unable to catch more than a few of the offenders. In addition to the seven officers charged, Commissioner William Bratton said that two captains, nine sergeants and 18 other members of the force disobeyed direct orders by taking their firearms to the capital. Capt. Scott Jandly may face stern discipline

because he did not take steps to stop some of the worst rowdiness. One officer, Ramona D. Vicario, resigned after failing a drug test on June 3.

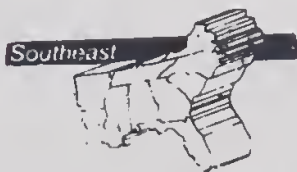
Former New York City police officer Carol Shaya, who was dismissed after posing nude in Playboy last year, charged in a lawsuit filed last month that male officers who had committed far worse offenses than she did received more lenient treatment from the department. Shaya, who said she spent much of her \$100,000 modeling fee from Playboy on legal fees, is appealing her dismissal.

Fifteen microwave ovens and \$4,000 in electrical sockets at the Erie County Correctional Facility were damaged in July by inmates trying to light smuggled cigarettes. The jail has a no-smoking, no-lighter policy.

The New York City Police Department has confidence in a test that uses hair samples to spot illegal drug use, despite warnings that it still has some problems. The test, which the Department began using on May 31 in conjunction with urinalysis, has already resulted in the resignation of one officer and the suspension of another. While cocaine is detectable in urine for only a few days after use, and marijuana for up to a month, drugs stay in hair until it is cut off. Edward Cone, chief of the chemistry and drug metabolism section at the National Institute on Drug Abuse, cautioned that hair can pick up particles of drugs that are in the air. Also, he said, dark hair binds more with drugs than blond hair. Chief of Personnel Michael Markman said the Police Department is considering using the test on all new recruits.

PENNSYLVANIA — Some 1,200 Pittsburgh middle-school children will receive gun locks next year to bring home to their parents as part of a gun safety program.

RHODE ISLAND — The Pawtucket City Council is considering asking NYNEX to block all incoming calls on pay phones to thwart drug dealers. Dealers came from Providence to use Pawtucket's pay phones after incoming calls were blocked there.



ALABAMA — A Columbiana man withstood 13 rounds of tear gas July 8 during a standoff that began when authorities tried to serve him a court order for violating the conditions of his suspended sentence on a DUI conviction. Steve Clark, who was ordered held on \$10,000 bond, had sniffed gasoline for years, relatives said, giving him a higher tolerance to the tear gas.

ARKANSAS — The Benton City Council approved an ordinance July 11 that sets a curfew for anyone under age 18. The curfew will go into effect at midnight on Fridays and Saturdays and 11 P.M. on other days.

FLORIDA — Highlands County Sheriff's Inspector James Rodgers and

Capt. Robert Hopton were killed July 10 after their small plane crashed as they aided in the pursuit of trespassing suspects.

The sheriff's departments in Polk, Charlotte and Escambia counties have agreed to participate in the pilot stages of a program that will eventually allow all law enforcement agencies to have a site on the Internet World Wide Web. The project, known as Operation Electronic Substation, is a cooperative venture of the state Attorney General's office and the state's sheriffs and police chiefs. It is believed to be the first comprehensive system giving all state and local law enforcement agencies a chance to establish an Internet presence. The program will provide timely crime prevention tips and related public safety information. In addition, a special prevention archive for children will be established.

GEORGIA — Torrye Deshaun Taylor, 26, was cleared of rape charges July 13 after DNA evidence from the crime proved not to match his DNA. Taylor had been accused of raping a University of Georgia student in April, and the victim had named him as her attacker.

LOUISIANA — A \$1.6-million grant from the U.S. Justice Department's Office of Community Oriented Policing Services will provide Jefferson Parish with 28 new sheriff's deputies and Lake Charles with four more police officers.

Surrounded by his private collection of more than 250 pistols and hunting rifles, Gov. Edwin Edwards vetoed a bill June 28 that would have allowed Louisianans to carry concealed weapons upon issuance of a statewide permit.

NORTH CAROLINA — A man who served 11 years in prison for two rapes has been freed after DNA evidence proved he did not commit the crimes. Ronald Junior Cotton, 33, who was serving life plus 54 years, had his convictions dismissed on June 30 by Judge J.B. Allen. A DNA test requested by Cotton's lawyers last fall proved Cotton's innocence. Bobby Poole, another inmate serving life for rape and burglary, subsequently confessed to the crimes.

Kevin Mitnick, 31, agreed to a plea bargain in June that will allow him to serve only eight months in prison on charges that he broke into a San Francisco-area computer network. A hacker who had previously broken into a Defense Department data base, Mitnick faced up to 20 years on each of the 23 counts against him. He also pleaded guilty to illegally possessing 15 telephone numbers to gain access to computer systems. In addition to jail time, he promised to get treatment for his computer addiction.

SOUTH CAROLINA — A man who escaped from the Oconee County Jail 19 years ago was rearrested in July when Sheriff C. David Stone recognized him. The man, R.B. Bearden, was in jail for housebreaking and grand larceny.

Spartanburg police will trade in 288 guns in return for new weapons and other accessories. The weapons —

even ones with serial numbers filed off — will be traded with a licensed gun dealer.

VIRGINIA — The state will begin a pilot drug-court program in Roanoke on Sept. 1. The drug court will allow addicts to plead guilty immediately, and then be sent for treatment rather than to jail. If they kick their habit, they can get a clean record.



ILLINOIS — Forty-two people were arrested in Washington Park during a door-to-door sweep by authorities in early July. More than 600 people were being sought in the city, which authorities said is becoming the drug capital of the region.

Claiming that police investigations into domestic terrorism and gang violence are hampered by restrictions placed on intelligence gathering, the Chicago Police Department is seeking to overturn a 1982 consent decree limiting activities such as reporting threatening conversations or videotaping groups. The initiative has become an issue just as the city is preparing for its first national political convention since 1968, when anti-war protesters were beaten by police on national television during the Democratic National Convention. City officials said, however, that the proposal to ease restrictions came before the city knew it was going to host the 1996 Democratic convention.

INDIANA — Ronald O'Rourke, 25, was captured July 12 in Kane County, Ill., after being on the run for six months. O'Rourke was wanted for allegedly firing 18 shots at a Starke County deputy. The officer was not hit.

Marion County coroner Karl Manders ruled in July that 300-pound Joseph Love, 37, who died after a struggle with police, did not die as a result of being choked, as his family claims, but from chest pressure. A grand jury is investigating.

Scott Danks, a lawyer for the Evansville police and fire departments, has apologized for swearing at two police officers who arrested him for drunken driving over the July 4th weekend.

Prosecutor Scott Newman has said he will seek the death penalty against Norman Timberlake, 47, who went on trial last month in the 1993 killing of state trooper Michael Greene.

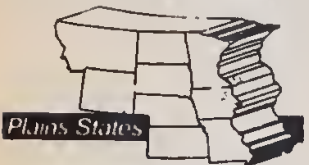
KENTUCKY — Special speed checks along the stretch of Interstate 75 known as "Death Hill," near Covington, will have to be cut due to summer staff shortages and lack of overtime funds, police said early last month.

MICHIGAN — One in seven drivers between the ages of 16 and 24 were involved in an automobile accident during 1994, according to a report released last month by the Michigan Association of Insurance Agents. A total of 145,403 crashes can be attributed to that age group — an accident

rate three times higher than that for drivers 65 and older.

WEST VIRGINIA — A Federal judge in Huntington last month sentenced inmate Robert Shepard in July to 30 years for escape, a post office break-in, and other crimes. Shepard, 35, escaped from jail by braiding a rope from mint dental floss he received from the commissary. "Sounds good to me," said Shepard, as he was being sentenced.

WISCONSIN — Athens residents offered \$500 in July to help catch those who have been harassing Amish farmers in the area. Incidents include throwing motor oil at families, running cars into buggies, and firing guns into homes.



KANSAS — A competition among Wichita's street gangs to see which is the toughest has led to a recent wave of violence, police said in July. There have been 90 drive-by shootings and six fatalities this year. The disputes do not seem to involve drugs or turf.

Olathe police now have the authority to ticket motorists for playing music from their cars or boom boxes too loudly. Violators face up to 180 days in jail and a \$500 fine.

MINNESOTA — Harry Smisek, a convicted sex offender, was ordered to vacate his New Hope home until 2004, when he will need a court order to return. Smisek served eight months for molesting a friend of his daughter.

MISSOURI — Springfield police are said to be baffled by an unusual number of indecent exposure incidents. Thirty cases have been reported since April, involving men of various ages.

Born out of tragedy, the St. Louis County Police Department celebrated its 40th birthday on July 1. The agency was started after one deputy from the county sheriff's department shot another during an argument over how some reward money for the recovery of a truckload of hijacked liquor was going to be split. With the press having a field day, and the County Council furious, a special commission was formed to start the department.

NEBRASKA — A mayor's committee in Lincoln has recommended that police stop using a neck hold to subdue suspects. Police have been cleared in the death last Oct. 1 of Francisco Renteria, who was subdued in this manner.

Former Phelps County deputy Richard L. Morten, who was convicted last December of perjury, was stripped of his law enforcement credentials June 23. Morten is the first officer to be decertified by the Nebraska Crime Commission since it was granted that authority six years ago.

An Omaha police officer who raised about \$60,000 for the Nebraska Special Olympics helped to carry the torch for the Special Olympics World Summer Games in New Haven, Conn., last month. Officer Adam Kyle was among

74 other officers from the United States and other countries chosen to carry the torch used to light the flame as part of the games' opening ceremonies. Last December, Kyle spent a week on a billboard catwalk to raise money for the Special Olympics. [See LEN, Feb. 14, 1995.]

SOUTH DAKOTA — Stuart Sadler, a Sioux Falls man who posed as a police officer to lure a 12-year-old boy to his home and then chained him naked in the bedroom, was arraigned June 30 on a charge of kidnapping.

WYOMING — The state Division of Criminal Investigation will focus its efforts on the use and trafficking of methamphetamine. Prompted by a rising number of methamphetamine cases, The department handled 63 cases in the first six months of this year, compared to 69 cases in all of 1994.

With 17.2 reported cases per 1,000 people, Uinta County had the highest rate of domestic violence in the state last year, officials reported July 10. Experts estimate that as little as 10 percent of domestic violence cases are reported to police.



ARIZONA — The largest cocaine seizure in state history - 2,596 pounds - was made in early July from a 40-foot truck trying to cross the port of entry in

Nogales. The estimated street value of the haul was nearly \$117 million.

COLORADO — Following the lead of Boulder, Arapahoe and Weld counties, Larimer County jail inmates may soon be required to pay for some of their own medical treatment.

Setting a record pace of arrests so far this year, Denver officials may book as many as 64,000 people into short-term holding cells in 1995. Last year, 51,000 were booked.

NEW MEXICO — Officials have increased security patrols in Gila National Forest following the recent discoveries of several potentially lethal bombs along the trails in the wilderness preserve.

TEXAS — The Houston City Council was asked by police in July to spend \$12,000 for 25 spike devices that would be used to stop fleeing suspects. A string of the razor sharp spikes could be thrown across a road ahead of an oncoming suspect to flatten tires.



CALIFORNIA — Some 8,500 Sonoma County residents were called in early July as potential jurors in the trial of the man charged with killing 12-year-old Polly Klaas. The defendant, Richard Allen Davis, 41, allegedly abducted the girl from a slumber party at

her home on Oct. 1, 1993. The extraordinary number of jury prospects is due to the county's small size and the wide publicity the case has received. Jury selection is expected to last four months.

In its second phase, Operation Gatekeeper, the much heralded plan to decrease illegal immigration, will strengthen its front in East San Diego County. For the past eight months, the Immigration and Naturalization Service has placed additional agents at the heavily traveled routes west of San Ysidro, forcing more illegal immigrants through the mountainous region near Campo and Dulzura.

Los Angeles County Sheriff Sherman Block said he will sue the Board of Supervisors unless it rejects proposed cuts of \$30 million in his department's budget. Block said in June that he had put the board "on notice" that he would fight for the resources necessary to provide public safety. District Attorney Gil Garcetti, meanwhile, said that he would not initiate any layoffs, despite a directive from the board that he and other department heads impose a 20-percent budget cut. Even a 5-percent cut, said Garcetti, would drastically affect his department.

The California State Police went out of business July 11, having been merged into the California Highway Patrol. The 108-year-old agency guarded governors and patrolled state property.

The Los Angeles Sheriff's Department will have 10 of its newest 87 deputies paid for by the U.S. Justice Department's Office of Community Oriented Policing Services (COPS).

An estimated \$78.1 million for 1,000 new officers has been awarded to the state so far by COPS.

Clarence Jones, 26, faces charges of killing Oakland Police Officer Keith Konopasek with an AK-47 after Konopasek made an unrelated traffic stop in front of Jones's house. Jones said the shooting was an accident.

HAWAII — Dennis Kanahale, leader of the Nation of Hawaii sovereignty group, will stand trial for 1992 traffic violations on Sept. 15. The group, which contends that the government has no jurisdiction over it, is considering filing criminal charges against police.

NEVADA — A new law that makes it harder for authorities to withhold concealed weapons permits goes into effect on Oct. 1. Many residents thought they would be able to receive permits after the bill was signed into July 7.

As part of a court program that began in Reno in early July, offenders caught possessing or using drugs will be allowed to seek court-supervised counseling. If they stay clean, charges will be dropped.

OREGON — Starting Sept. 1, University of Oregon security officers will be allowed to stop and frisk people without their consent. The law, passed in June, affects 50 officers on seven campuses statewide.

WASHINGTON — Private security guards cannot carry guns at Federal courthouses without a state firearms license, officials said last month. Eastern Washington Security Inc. had assumed it was exempt from state law.

Washington SP targets promo cheats

Flawed process turned up candidates who could "part the Red Sea"

A Washington State Police official says that changes in the agency's promotional test procedures were well under way before an arbitrator's recent disclosure that troopers cheated on tests and supervisors attempted to "manipulate" test outcomes.

The arbitrator, Jack Calhoun, ruled June 9 that Trooper Lane Jackstadt, a nine-year veteran, could not be fired for cheating because troopers caught cheating in the past had only been suspended for a few days. Jackstadt was fired after he admitted cheating on a sergeant's exam by reading its contents into a remote microphone clipped to his lapel that was linked to a recording device in his patrol car.

But Calhoun learned that troopers routinely employed carefully planned strategies to memorize questions and answers on written exams, while supervisors sometimes attempted to manipulate the trooper-assessment portion of the process to ensure that favored troopers won promotions.

Not only did troopers memorize questions that appeared on the written exam, Calhoun found, but "some of them have gotten together before an examination and planned ways to memorize blocks of questions so that as many of the total questions as their collective memory would allow were written down immediately after the examination."

While there is no evidence that cheating resulted in widespread promotions of unqualified or undeserving candidates, the State Police has taken steps to ensure that the promotional process is tamperproof, said Lieut. Ron O'Glin, a spokesman for the agency.

Wireless radio mikes are used to foil the written test, while supervisors stack the assessment portion.

State Police officials ordered a complete rewrite of the exam, said O'Glin, and it is unlikely that questions will be recycled for future use. "Everybody is now supplied with readings materials and information about what they need to study," he said, adding that the new process was in place by February, when a new group of promotional candidates were tested.

Under the 15-year-old process known as the forced-choice system, supervisors chose from a series of weighted statements that best described subordinates being considered for promotion.

"What occurred was there were some incidents in which sergeants were trying to manipulate the system in order to better the score of the subordinate," O'Glin said. "They'd go back to [previous evaluations] they had done on other people who had gotten pretty good scores. Then they'd go back and try to pick out the same weighted statements off the next evaluation that came in."

O'Glin, who said that part of the process counted for 50 percent of the promotional candidate's score, with the remaining 50 percent coming from the written exam, said the efforts resulted in candidates who seemingly

"could walk on water, bring eyesight to the blind and part the Red Sea."

Some troopers complained, prompting the department to begin reassessing its promotional process about three years ago. Officials decided to change the forced-choice part of the process by replacing it with a requirement that all candidates who score 75 or higher on the written test be processed through an assessment center.

Three-member assessment teams — all members of outside law enforcement agencies — now evaluate candidates more objectively, eliminating the possibility of favoritism, O'Glin said.

Jackstadt, who had claimed the tape he made of test questions was useless because it was inaudible, was turned in by a co-worker and fired in December. Calhoun ruled that terminating the trooper was "too harsh a punishment," said O'Glin, and recommended a 30-day suspension. "He's back at work," O'Glin told Law Enforcement News on July 19.

For Jackstadt, the ruling was the latest round in a months-long battle to stay on the force, but one with a difference — this time the possibility of a jail sentence wasn't hanging over his head.

In May, Jackstadt went on trial for illegally detaining a pregnant teen-ager last year in order to force her to accompany him to his church's anti-abortion counseling center. Charges against him were subsequently dropped after jury said they were "hopelessly deadlocked" on the question of whether the trooper had held the teen-ager and her boyfriend against their will to prevent the woman from having an abortion. [See LEN, June 15, 1995.]

Potts scrubbed

Responding to controversy over the FBI's role in the deadly 1992 standoff with a white separatist in Idaho, FBI Director Louis Frech removed Deputy Director Larry Potts from his position on July 14 — barely two months after Potts had assumed office.

Potts played a major role in the FBI's 1993 assault on the Branch Davidian compound near Waco, Texas, that left 81 people dead. But it was the standoff with Randy Weaver, whose wife was killed by an FBI sniper at their remote cabin near Ruby Ridge, Idaho, that led to Potts' demotion to an unspecified position in the bureau's training division.

"I believe that Mr. Potts is unable to effectively perform his duties as deputy director due to controversy surrounding the Ruby Ridge matter," Frech said in a statement. The announcement came five days before two House subcommittees opened hearings on the Waco incident.

Potts has been temporarily replaced by William Espolito, who was the head of the FBI's criminal division.

Potts is not the only senior agent to be disciplined for the Ruby Ridge incident. Michael Kahoe, who was an official at FBI headquarters during the siege, was suspended on July 12 as a result of a Justice Department inquiry into whether agents destroyed important documents about the siege.

The New York Times reported that Kahoe destroyed documents relating to events that took place within the FBI's secure command center during the Idaho siege.

During the siege, an FBI sniper killed Weaver's wife, Vicki, while she stood unarmed in the cabin doorway, holding the couple's infant daughter. The shooting occurred the day after a Federal marshal and the Weavers' 14-year-old son were killed in a shootout.

The shooting occurred under loosened rules of engagement that some agents interpreted as shoot-on-sight orders that conflicted with stringent FBI policies on the use of deadly force. Agents at the scene reported that the rules were approved by Potts, an assertion he denied.

An early sign of trouble for Potts

came in January, when Frech disciplined him and 11 other agents for lapses of judgment and carelessness in the Ruby Ridge siege. The letter of censure was a mild reprimand, the same sanction that Frech once received when he admitted losing a cellular telephone.

Despite the swirling controversy over the Ruby Ridge siege, Frech promoted Potts to deputy director in May. Holding the No. 2 position in the bureau, Potts was the FBI's chief operating officer, overseeing hundreds of criminal investigations. He also commanded the investigation into the April 19 bombing of the Federal building in Oklahoma City.

Short notice

The ink was barely dry on his new 2-year contract when Central Falls, R.I., Police Chief Robert E. Sasso announced he would resign from the Police Department after 20 years of service, five of them spent as chief of the 37-officer agency, located just north of Providence near the Massachusetts-Rhode Island state line.

At a news conference with Mayor Thomas Lazieh on June 16, Sasso, 43, said he would retire Aug. 1, five months after he signed a new contract with the city that raised his salary from \$40,000 to \$43,800 a year. The contract also provides Sasso with a pension that pays him half of his salary at the time he steps down.

Sasso became eligible for retirement July 4, the 20th anniversary of his appointment to the Police Department. Lazieh said he had asked the chief to reconsider, but Sasso's decision was firm.

"I'd always said that after 20 years I'd retire," Sasso said, while not entirely ruling out a second career in law enforcement or another area of public service. "If I'm going to make my move, I've got to make it now."

But for the time being, Sasso told The Providence Journal-Bulletin, he will "get acquainted with my wife and children again, and if offers from other departments come, then I'll consider them."

Lazieh added that for the first time in the city's 100-year history, the po-

Sheriff Lee: A larger-than-life figure is aiming still higher

During 15 years as sheriff of Jefferson Parish, La., Harry Lee has cut a larger-than-life reputation as a tough crime-fighter. One of the few high-ranking law enforcement officials of Chinese ancestry, Lee, 62, recently became the first Chinese-American candidate for governor of any state other than Hawaii.

In an interview with Law Enforcement News, Lee, a Democrat, said his 15 years as sheriff, and previous careers as a lawyer and a U.S. magistrate, make him the hands-down choice to solve the state's problems. "My qualifications are much more impressive than anyone else's," he says simply.

Fourteen other candidates have thrown their hats into the ring, including former Gov. Buddy Roemer, who left office in 1992. The incumbent, Edwin Edwards, a Democrat, is not seeking re-election. Voters will decide among the candidates in an open primary Oct. 21. The two with the most votes will face off in the Nov. 19 general election.

While crime will probably emerge as the state's biggest issue, "that's not the only problem," Lee said. "We have a very serious budget problem. That has to be addressed immediately. Education is always a problem, along with jobs and economic development."

Lee supports the expansion of the state's nascent gambling industry, and admits he's the only candidate who accepted campaign contributions from its officials, which he



Harry Lee
Closest thing to a king

said his opponents have seized as an issue. "My response is that if the other candidates are so insecure that they can't accept a \$5,000 contribution, they have a serious problem with their own integrity."

Louisiana desperately needs the hefty tax revenues that gambling will bring, he added. "In the first 10 months of the fiscal year, the gaming industry paid \$10 million more in taxes than the oil and gas industry. It's a new industry that has to be nurtured and encouraged, instead of discouraged."

Lee admits he's a long shot, but said he is certain his recognition factor will increase around the state as his media machine gears up. "I just announced on June 9," he said. "I'm in fifth place [in the polls], which isn't very impressive. But I'm one point out of fourth place, two points out of third

place, and three points out of second place. These other candidates have been running for a year or so, so I'm in pretty good shape."

Lee, who has appointed Newell Normand, his top aide, as acting sheriff while he pursues the governorship, said he has established an "enviable" record as a law enforcer. Ninety percent of all the parish's murder cases have been cleared through arrests. Calls for service are answered by deputies within five minutes. Burglaries have declined 30 percent. Car thefts are down 5 percent this year, he says.

He credits part of the success against crime to his "Code 6" program, created in conjunction with District Attorney John Mamoulides, which stresses a collaborative effort between deputies and prosecutors to identify, arrest and prosecute multiple offenders. Lee also uses a "hot case" approach to solving crime in which teams of officers remain on cases until they are solved.

The Sheriff said many supporters have asked him to reconsider his run for governor, and it's clear that Lee loves his current job. "I probably have the best job in the state," he said. "I have a \$65-million budget, I raise all of my own money, I don't have any Civil Service or any union. One way to look at it is that I'm the closest thing there is to a king in the United States. Nobody can tell me what to do. I answer to the legislative auditor every day, and I answer to the voters every four years."

lice chief's position will be open to outside applicants. Until February 1994, the city's contract with the police union required that candidates for the job be selected from within the agency.

The city successfully sought to change the rule during arbitration hearings.

"I think it opens up the rank of chief to a wider-ranging pool of qualified applicants and provides a greater competition," Lazieh said, adding that he expects the selection process to last "a couple of months."

took office, I put 16 police officers back into our Department of Operations, which is patrol and detectives, because that's what I had promised."

Glover, who joined the Duval County Sheriff's Office two years before it merged with the Jacksonville Police Department in 1968, plans to increase police presence even more by civilizing 64 jobs now held by officers.

The Jacksonville native told Law Enforcement News he is also addressing another theme that emerged during his campaign — getting "the community involved in law enforcement at an unprecedented level, and giving them an opportunity to have input into what goes on in their neighborhoods."

To reach this goal, Glover is organizing 17 neighborhood advisory boards

that will give residents a chance to express their most pressing concerns and work together with police to solve problems. "As I walked the beats," he said, "I found different problems from neighborhood to neighborhood. So we are going to be neighborhood-specific in how we address them."

Like many major U.S. cities, Jacksonville's crime rate has fallen in the past year, dropping 5.2 percent overall. But Glover says fear of crime lingers among residents and that's something he'd like to change. He's hoping a better relationship between police and citizens will help.

The department got a welcome manpower boost earlier this year with the appointment of 31 new Federally funded officers. The new hires bring the number of officers to 1,331 — just seven below authorized strength.

Glover's victory on April 11 with 56 percent of the vote surprised some observers who never thought a black candidate would be elected as sheriff in Florida. Glover clearly remembers the Jim Crow era in the South — as a boy he was once beaten by white youths while a police officer stood idly by — but he credits his victory to hard work.

"I was qualified for this job, and I presented my credentials to this community," he said. "They looked at those credentials, my plan for reducing crime, and me as an individual, and they elected me based on that, not based on the color of my skin. They sent a message that if a person is qualified to do a job, he can be elected in this state."

Keeping promises

Jacksonville, Fla., Sheriff Nathaniel Glover Jr., who in April became Florida's first elected black sheriff in over a century, says he will do all he can to increase police presence in the state's largest city, and to bring police and residents closer together.

"One of the main themes that I consistently kept before the public — and it was clear through my walks on every police beat in the city — was that people wanted to see more police presence in their communities," said Glover, who was sworn in for a four-year term July 1. "I made a commitment to them that I would use the available resources as efficiently as possible, with a focus on putting police officers back on the streets. Our plan is to do just that."

The 52-year-old Sheriff wasted no time keeping his word. "The day I



Nathaniel Glover
Hitting the ground running

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For perps, cleanliness is next to undesirable

Agency wants in-custody no wash-ups before testing for gunshot residues

It's long been an unwritten policy of the Spartanburg, N.C., Department of Public Safety to prohibit suspects in shooting cases from using the bathroom, washing or being fingerprinted until gunshot residue samples are taken from their hands.

But department officials recently reiterated and formalized the policy by including it in a revision of the agency's manual. The move came following the disclosure during the recent trial of a youth charged in the killing of a prominent anti-violence activist that investigators had been unable to obtain gunshot residue samples because the suspect had been allowed to wash his hands.

Sgt. Audrey McNair, an 18-year veteran of the department's criminal investigations unit, told Law Enforcement News that the policy was included in a revision of the manual that was completed in June. While most members of the 133-officer agency followed procedures correctly, officials wanted to be certain that new officers were aware of it, she said.

Allowing suspects to wash or tamper with their hands in any way could foil attempts to gather gunpowder-based

evidence, complicating the prosecution's case, McNair pointed out, adding that no case had ever been jeopardized for that reason. "When it came time for court, we would have problems because we would not have an accurate reading [of gunshot residue]," she explained. "Oftentimes, we could not even detect a trace because they had washed their hands."

"It's something that a lot of officers were already doing, but we have a lot of new officers, some of whom were unaware of the procedure," added McNair, who wrote the policy as a member of the committee that revised the procedure manual. "Suspects are now brought to the squad room, where they are monitored until a gunshot-residue kit can be administered."

McNair said that the failure of investigators to obtain gunshot-residue samples was revealed during the recent trial of a teen-age suspect charged with the shooting death of Ernest Rice, 41, a neighborhood activist who headed the Spartanburg chapter of the "Stop the Violence" movement.

Rice was gunned down in a church parking lot during a drive-by shooting that occurred after he had tried to mediate a dispute over a basketball game in March 1994. Five teen-age suspects, including one who was charged as a juvenile, were

convicted of the murder in trials that concluded in June, McNair said.

In the Rice case, "there was a question in court as to why a gunshot residue kit had not been administered," McNair said. "The suspects had already been booked into jail by the time the investigator assigned to the case had returned."

Lieut. Jerry Casey, a 23-year veteran who is also assigned to the criminal investigations unit, said the policy ensures that jailers do not book suspects until investigators are able to administer the kit.

"Our jailers were going ahead, booking them, fingerprinting them and letting them use the bathroom, so what we did was write something so they'd be put on notice that anytime a suspect comes in who is charged with firing a weapon, they will not be processed until one of my investigators comes in and does the gunshot-residue kit on them," he said.

"Most of the time, once we get them here, we're using the kit on them within five or 10 minutes," Casey added. "But if they can wash their hands, they can wash the evidence off. It's just something we felt like we needed to do because we were losing evidence."

Let us spray:

ACLU seeks Fed regulation of OC spray

The American Civil Liberties Union is seeking to make a Federal case out of the police use of pepper spray to subdue suspects, with a report that catalogues 26 deaths in California related to the spray and asks the U.S. Consumer Product Safety Commission to intervene in the controversy.

On June 4, two weeks before the ACLU of Southern California issued its report recommending the regulation of oleoresin capsicum, the pepper-based spray used by police to subdue suspects, a San Francisco man became

the 27th California man since 1993 to die in police custody after use of OC spray.

San Francisco police reportedly sprayed Aaron Williams, a burglary suspect, at least three times after he charged officers and grabbed for one officer's gun. After restraining Williams with handcuffs and leg shackles, police transported him to the Richmond District station.

He was pronounced dead a few minutes after police noticed he was having trouble breathing. The San

Francisco medical examiner ruled his death was caused by "acute excited delirium due to acute cocaine toxicity."

Williams's death was not attributed directly to the use of OC spray, nor were the 26 OC-related deaths that the ACLU examined in its June 18 report. But the circumstances surrounding his death bore similarities to the others.

Like Williams, 24 other people who died were under the influence of drugs, usually cocaine or methamphetamines. Half of those who died were also hogtied just after they were pepper-sprayed and just before they died, according to the ACLU report.

Insisting that OC spray should be regulated, the ACLU has asked the consumer safety commission to "take regulatory responsibility over both police and civilian versions of these products."

The potential elimination of the use of pepper spray is a topic of concern for law enforcement officials. "We are looking at 27 deaths in California, out of 16,000 reported uses of pepper spray," Steve Telliano, a spokesman for the California Attorney General, told The New York Times. "If it were to be eliminated as a tool, law enforcement officers in this state might use a firearm instead. The ACLU is not looking into how many people would have died if pepper spray were not being used."

While OC spray itself may not be lethal, the ACLU warns that the spray could have deadly consequences when used on suspects who are high on drugs, especially if they are restrained in a manner that restricts breathing. The ACLU also concluded that OC spray was not effective on drugged suspects.

"There is clear evidence that pepper spray is unlikely to work on people who are high on drugs and in psychiatric crisis and there is clear evidence pepper spray poses serious risks if it is used on people with respiratory disease, especially asthma," the ACLU report stated.

Using OC spray is particularly hazardous in combination with a restraint that restricts a suspect's breathing, the ACLU found. Positional asphyxia, a form of suffocation, occurred

in three of the OC spray-related deaths, including Williams.

According to an article cited in the San Francisco Police Department report to a police commission after the Williams incident, positional asphyxia "occurs when the position of the body interferes with respiration."

The report adds that there are contributing factors which account for the "inability of the victim to move him or herself from the ultimately fatal position." Those factors include drug use, intoxication, illness, injury, physical disability and restraint or entrapment.

Positional asphyxia was determined to be the cause of 18 in-custody deaths that the International Association of Chiefs of Police examined in a report for the National Institute of Justice. [See LEN, April 30, 1994.] The IACP collected and analyzed data about OC-related deaths that occurred between August 1990 and December 1993.

The IACP's review began after a medical examiner, in July 1993, determined that the death of a North Carolina suspect was "precipitated" by the OC spray used by police to subdue him. That finding sparked concern within many law enforcement agencies about the safety of the spray, and some stopped using it. [See LEN, Oct. 15, 1993, July/August 1993; May 15, 1993.]

"Excited delirium" has been cited as another condition that may be aggravated when a suspect is restrained so that breathing is restricted. In the aftermath of the Williams case, a San Francisco fact-finding panel discussed the condition in its report to the Police Commission.

The report said the syndrome can be produced by a number of different drugs, but most of the cases reported recently have been linked to cocaine

users. Tracing the earliest cases of cocaine-related excited delirium, the report found that most victims were grossly psychotic and violently agitated.

This phase lasted anywhere from one to two hours. Then, "for whatever reason, agitation ceases, the patients become quiet, then die."

The number of times a suspect should be sprayed is another focus of debate. In its report, the ACLU said that Defense Technology Corp. of America, the major supplier of pepper spray products in California, circulated an internal research proposal cautioning police against more than a single one-second burst of OC spray. More than that, the manufacturer warned, "obviously would be an overexposure which may cause added health risks."

In the Williams case, according to a memo obtained by The San Francisco Chronicle, police sprayed him at least three times. Though Telliano, the Attorney General's spokesman, acknowledged that manufacturers recommend "a one-second single burst," he said his office "doesn't have the jurisdiction to create such regulations for local law enforcement agencies."

Responding to the Williams incident, the fact-finding committee made several recommendations in hope of preventing further OC-related deaths. These include washing the eyes of suspects as soon as possible at the scene and reexamining the department's general order on the use of force.

The committee wrote that the use-of-force policy should restrict restraint after pepper spray use, have two officers transport all pepper-sprayed suspects and mandate full-time observation of exposed subjects until the effects of the OC spray dissipate.

New fad drug is tool of rapists' trade

Rohypnol, an addictive sedative that is said to be 10 times more powerful than Valium, is emerging as the latest fad in the U.S. drug scene, and Florida police are warning that rapists are using it to disable their victims.

Known familiarly as "roofie," the drug, which is not available legally in the United States but is widely used overseas to sedate surgical patients, has become popular in recent months for two reasons. It is cheap—about \$3 to \$5 a dose—and it breaks down inhibitions and boosts the highs of cocaine, alcohol and heroin, authorities say. "Roofie" users—who may appear to be drunk—often don't remember what they did while under the influence of the drug, an effect which has earned it the nickname "the forget pill."

Mexico is believed to be the leading source of the drug because it is available there by prescription. The drug is often sold in its manufacturer's packaging, authorities say, leading users to believe it is safe. "We're just absolutely horrified about some of the reports we're getting," said Al Wasilewski, a spokesman for Hoffman-La Roche, which makes Rohypnol.

Rohypnol's arrival on the drug scene is a relatively recent occurrence, according to substance abuse experts. "We didn't even know the drug existed in Texas until December," said Jane Maxwell, a spokeswoman for the

state Commission on Alcohol and Drug Abuse. "Now... it's everywhere."

Florida law enforcement officials say some enterprising rapists have used Rohypnol to disable and overpower would-be victims. The Fort Lauderdale Sun-Sentinel reported last month that a man charged with four sexual assaults used the drug as part of his modus operandi.

In a plea bargain, Mark Perez, 31, pleaded no contest to one rape. In exchange, prosecutors dropped three other sexual assault charges against him.

"It's like a crime in a pill," said Bob Nichols, an assistant state attorney in Broward County who has handled several rape cases involving Rohypnol. Convictions are hard to get, he said, because "the victim has a hard time remembering anything. It wipes your memory clean."

Nichols said he had witnesses who would have testified that Perez bragged about drugging women with Rohypnol, then raping them. He would meet women at bars and lace their drinks with the drug. Within minutes, the women would be limp and staggering. To observers, it appeared as if they were drunk and willing to leave with Perez.

"A lot of women don't realize that a couple of drinks and a nice-lookin' man can end up in horror," one victim told the newspaper.

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Sex-harassment woes shake 3 agencies

While law enforcement agencies have made gains in addressing the problems of sexual harassment and gender-based discrimination within the ranks, a handful of recent cases brought by female officers provide evidence to suggest that the problem persists.

In Texas last month, a board of inquiry ruled that Cheryl Steadman, who was one of the first women ever to join the elite Texas Rangers, was not mistreated before, during or after a March 1994 retreat at which, she claimed, drunken male colleagues engaged in crude behavior.

Steadman, 34, who quit the 172-year-old crime-fighting force after the

retreat, "was not the victim of harassment, discrimination or [a] hostile environment that prevented her from succeeding" in the agency, the three-member, all-male Public Safety Commission ruled on July 11.

An earlier internal investigation by the Texas Rangers had found little to substantiate Steadman's claims that she endured discrimination, retaliation and daily reminders that women weren't welcome on the 103-officer force. Steadman, who walked out of a PSC hearing July 10 after hearing the testimony of just one witness, said she felt the commission had already decided in favor of the Rangers, and that she

"We're not going to tolerate insensitivity, abuse or discrimination. But we're not going to have trivial incidents blown out of proportion by innuendo."

hoped the issue will be resolved in a "real court."

"We're not going to tolerate insensitivity, abuse or discrimination," said Ronald Krist, a commissioner who pushed the agency to admit women. "But by the same token, we're not going to have trivial incidents blown out of proportion by innuendo."

Steadman said she was required to attend an evening retreat with 23 male colleagues, and charged the men made her feel unwelcome by leaving open a bathroom door as they used the facilities, cursing and reading a lewd poem within her earshot. She was told to do "women's work" such as preparing food, and was criticized for wearing a dress instead of the Western-style casual clothes worn by her male colleagues. She also charged that supervisors weren't supportive of women and made disparaging remarks about them.

Steadman and another woman, Marie Garcia, were the first women ever hired as Texas Rangers in July 1993. Another female candidate, Lisa Shepard, turned down a ranger job last year after learning that she would be assigned to an administrative job at headquarters instead of being assigned to the field. She has charged the agency with sex discrimination. Meanwhile, Steadman has returned to the state Department of Public Safety's motor-vehicle facility in Houston.

In another case unrelated to Steadman's claims, records obtained by The Associated Press revealed that two Texas Rangers were reprimanded last year for making racial and sexual slurs against Sgt. Christine Nix, who is black. The records, which the news agency obtained one day after the PSC's ruling in the Steadman case, showed that Sgt. Matt Cawthon, of Waco, and Jim Denman, of Garland, were suspended with pay for more than four months during the investigation and then placed on six months probation for remarks made about Nix.

Prior to allowing women to join, the Rangers had come under fire for the lack of women and minorities in its ranks. Its first black officer was hired just eight years ago; four more have joined since then. The force also includes 10 Latinos, one Asian, one white

woman and one black woman.

Capital Offense

In Washington, D.C., Police Chief Fred Thomas is considering whether to fire a male lieutenant for sexual harassment after a complaint filed against him by a female sergeant was sustained by the agency's Office of Equal Employment Opportunity.

Sixth District Lieut. Ronnie Foye grabbed Sgt. Cathy Lanier's ponytail and remarked on her "nice hair" and "pretty brown eyes," then turned to another sergeant and asked him whether he "ever grabbed a woman's hair like that when you're having sex," according to a department report on the incident.

Police officials told The Washington Post the case is believed to be the first time a District police officer has faced termination for sexual harassment.

Lanier and Lena V. Johnson, a master patrol officer in the Sixth District, filed suit May 31 in D.C. Superior Court alleging that their civil rights were violated when they were subjected to sexual harassment by Foye. Also named as a defendant is Deputy Chief Charles R. Bacon, commander of the Patrol Division, whom was charged with failing to stop the lieutenant from harassing the women.

Foye told The Post that he made a comment about sex but did not touch Lanier's hair. He said he has a propensity to "joke" with women co-workers and "sometimes that is misinterpreted." His attorney, James Pressler, called the accusations "weak" and said he believes Foye will be vindicated in an administrative review of the case.

Although Thomas, who is retiring, said that ending sexual harassment would be a top priority of his administration, some officers told The Post that the department drags its heels on such complaints, causing delays in proceedings that frustrate accusers and make it less likely that others will report similar inappropriate behaviors.

"The credibility of the department and its sexual harassment prevention program rests on the kinds of punishment it metes out and doing it in a timely manner," said Insp. Maralyn Hershey, a former acting director of the Equal Employment Opportunity Office. "In an egregious case, the hammer has got to fall — and it's got to fall hard — to send a message."

About 20 sexual harassment complaints were filed with the office between 1990 and 1994, the year the largest number of complaints — seven — were filed. In that time, one com-

plaint was sustained involving an Intelligence Division detective accused of sexually harassing a female detective in the same unit. The detective wasn't disciplined because the department failed to take action within the required 45 days of the finding.

The relatively few complaints filed in a force with about 1,000 women shows that many fear reprisals or other on-the-job reverberations, sources told the newspaper. "Most of the women feel that going to the [Office of Equal Employment Opportunity] to complain is like going to a friend of the officer," said Lieut. Gail Brevard, chairwoman of the Mid-Atlantic Association of Women in Law Enforcement. "They don't feel that the Police Department will police itself."

If the Suit Fits

Incidents of sexual harassment are the primary allegations in a sex-discrimination lawsuit filed in June by a female state narcotics officer in Montana, who charges she was wrongly fired by state Justice Department officials because of her objections to the behavior.

Julane Green, who formerly was assigned to the Missoula office of the Montana Narcotics Investigation Bureau, alleges she was "the object of sexually abusive language, the brunt of abrasive jokes and actions, was ostracized or made to endure offensive and insulting behavior, was subjected to hostile surveillance and continuous criticism and was treated differently than male agents."

Green, who filed and won another sexual discrimination lawsuit when she worked as a Hamilton police officer in the late 1980s, was hired to work for the Montana Criminal Investigation Bureau in 1989. She was transferred to the Missoula post in 1990.

The lawsuit, which was filed in Missoula District Court, alleges that during her employment, she "became aware that some male workers were hostile...that there was a pattern of discriminatory bias toward women, including male co-workers making abusive and derogatory comments about women, posting offensive sexual material in the workplace, and other such conduct."

Green endured the conduct "in order to get along," according to the lawsuit, "but such behavior was unwelcome." She complained to supervisors and filed an internal complaint in May 1992, which resulted in disciplinary action against her, including surveillance "and an effort...to build a paper trail of progressive discipline against her."

Every Phila. cop gets taste of harassment

Over time, every member of the Philadelphia Police Department — from Commissioner Richard Neal down to the newest patrol officer — will undergo a comprehensive training program that will give them a firsthand exposure to the sexual and racial harassment that the agency is eager to eliminate.

The program began June 7, with about 25 of the department's top brass in attendance, including Commissioner Richard Neal, The Philadelphia Inquirer reported. The training is designed to help supervisors and officers refrain from inappropriate behavior, making unwanted advances to co-workers, and using words and phrases that are offensive to women and other groups.

The training is part of a larger effort to eliminate sexism and racism from the department, said Neal. "We want to ensure that the workplace is free of discrimination, and free of remarks that might be uncomfortable to anyone," he said.

The program comes amid recent lawsuits and disciplinary actions involving officers who allegedly used racial and sexual epithets in the course of their duties. An ongoing Federal lawsuit seeking \$500,000 in damages was filed by former Police Officer Mark Goldberg, who alleges that a supervisor called him a "kike" and a "Jew boy." And recently, a sergeant was temporarily transferred after residents of the 15th District complained he made a racial slur at the scene of a shooting. The department is investigating the charge.

The first day of the training focused on inappropriate behavior in the workplace, which, for many of those in attendance, is the street. "There is a gray, fuzzy area," said Annette Cremona, an instructor from Cremona & Associates, which devised the training. "When does that look become a leer?"

Cremona directed attendees to pair off and eye each other in much the way construction workers might ogle female passers-by. "Are you nervous doing this?" she said, as the men spent a minute doing their best to size each other up. "How about your partner? Are they uncomfortable? Are they sweating?"

"Oh, oh, I think something's happening here?" one commander quipped.

But instances of offhanded humor aside, the session was a serious, focused attempt to address a problem that is widespread, not only in law enforcement agencies, but in many professions, particularly in those where women have only just begun to make strides.

"We harass other people because we don't feel good about ourselves," explained Benjamin Brooks, a former Pennsylvania State Police captain who is a consultant to businesses on affirmative action programs. "Every one of us has buttons on our forehead. And when somebody pushes those buttons, we react."

To illustrate his point, Brooks sounded off a litany of clearly inappropriate behaviors. Among them: referring to women as girls; using terms like "doll," "honey" and "sweetie"; asking about sexual fantasies or preferences; making kissing sounds or snacking lips; making sexual jokes; spreading lies or rumors, and rubbing, hugging, kissing, patting or stroking.

Brooks also added staring, telling jokes and "hanging around somebody" to the list of no-no's.

Commanders asked about several scenarios that could result in an accusation of sexual harassment by female colleagues. They wondered whether criticism of a female officer's poor performance might result in such an accusation. They asked how they could persuade victims of sexual harassment that they really wanted to help them and convince them they wouldn't automatically take a male harasser's side.

Commanders also expressed concern about what Brooks termed the "Zap Zone," the fine line that delineates professional camaraderie from sexual harassment. Supervisors are charged with defining that zone among their employees, Brooks said, and are also responsible for respecting it themselves.

Other topics included the traditional resistance exhibited by old-guard police employees against new directives and programs, but Neal said the department would do whatever was necessary to ensure that it rid itself of sexual and racial harassment. "This is an important issue," he said. "It's important to us as commanders, and it's important to our subordinates."

Oregon SP quiets tempest over ethics code for troopers

Continued from Page 1

great deal of miscommunication about it."

The agency code was devised with the help of the Washington, D.C.-based Police Foundation, which was brought in to shore up the agency's image following a 1992 sex scandal in which two on-duty, uniformed troopers had sex with a woman in their patrol car. The pair were fired but were subsequently reinstated by an arbitrator — a decision that subjected the agency to

harsh public criticism.

The code was developed to "reaffirm" the high standard of conduct the agency expects of its officers, Giusto said. "When you're hired, you understand our expectations of officer behavior are very high. But just like every agency, we hire people. We do our best to screen them and have a solid screening process in place. But just like any other agency, people change after getting hired."

The code was "massive overkill to

correct a very minor problem in the agency that occurred several years ago and hasn't occurred since," Botwinis insisted, referring to the sex scandal. "I think something that needs to be reiterated is that just because our people were opposed to the ethical code of conduct, in no way shape or form did that mean they don't agree with moral and ethical values. They absolutely believe in moral and ethical values. It was the process used that was the problem."

Greater use of handguns in crime seen

The use of handguns in crime has increased significantly and criminals prefer bigger and more lethal guns, according to statistics released recently by the Department of Justice.

About 1.3 million people in the United States faced an assailant armed with a firearm during 1993, according to the DoJ's Bureau of Justice Statistics. Eighty-six percent of the 1.1 million victims of rape, sexual assault, robbery and aggravated assault faced handguns in their attacks. Firearms were also used in 70 percent of the 24,526 homicides in 1993.

The report is based on information from BJS's National Crime Victimization Survey, the FBI's Uniform Crime Reports and files maintained by the Bureau of Alcohol, Tobacco and Firearms.

Handguns predominate in firearms crimes, and surveys of inmates show that they prefer concealable, large-caliber guns. Research also showed that the handguns used by felons were similar to the handguns available to the general public except that the criminals preferred more powerful guns.

Law enforcement officers killed by firearms other than their own guns were killed most often by .38 caliber handguns. Of the 687 officers killed by firearms between 1982 and 1993, the report said, 46.8 percent were killed with .38 caliber, .357 Magnum or 9mm. handguns, 17.2 percent were killed with 12-gauge shotguns, .22 caliber handguns or .22 caliber rifles.

The vast majority of victims of murder, rape, sexual assault, robbery and aggravated assault in 1993 faced handgun-toting assailants.

Juveniles prefer large caliber, high quality handguns at an even higher rate than adult offenders. A 1991 study that sampled juvenile inmates found that prior to their confinement, 58 percent owned a revolver, usually a .38 caliber or .357 Magnum; 55 percent owned a semiautomatic handgun, usually a 9mm. or .45 caliber gun; 51 percent owned a sawed-off shotgun and 35 percent owned a military-style automatic or semiautomatic rifle.

The number of guns available to Americans is tremendous, according to the ATF. From 1899 to 1993, the ATF estimates about 223 million guns became available in the United States, including more than 79 million rifles

and 77 million handguns. The number of guns seized, destroyed, lost or inoperative is unknown.

The report notes, however, that most guns in the U.S. are not used to commit crimes.

More than half of all the handguns manufactured in the United States this century are 20 years old or less. The BJS estimates that more than 40 million handguns were produced domestically from 1973 to 1993.

Since more than 80 percent of the guns available in the United States are manufactured here, the Justice Department maintains that domestic gun production is a good indicator of the guns available now.

The BJS estimates that from 1973 to 1993, U.S. manufacturers produced 6.6 million .357 Magnum revolvers;

6.5 million .38 Special revolvers; 5.4 million .22-caliber pistols; 5.3 million .22-caliber revolvers; 4.5 million .25-caliber pistols; 3.1 million 9mm. pistols, 2.4 million .38-caliber pistols, 2.2 million .44 Magnum revolvers, 1.7 million .45-caliber pistols and 1.2 million .32-caliber revolvers.

The report also showed that a shift in the types of handguns produced in the past 20 years, from manual revolvers to semi-automatic pistols.

Stolen guns are a key source of weapons for criminals, the Justice Department reported. Studies of both adult and juvenile offenders show that many have either stolen a firearm or kept, sold or traded a stolen firearm.

One study showed that among inmates who possessed a handgun, 9 percent had obtained it through theft

and 28 percent had acquired it through drug dealing or fencing. Of all inmates included in the study, 10 percent had stolen at least one gun, and 11 percent had sold or traded stolen guns.

The Victimization Survey indicates that handguns were stolen in 53 percent of the thefts of firearms. Two million theft reports in the FBI's stolen gun file include 1.26 million handguns, 470,000 rifles and 356,000 shotguns.

Tracking the number of stolen automatic weapons is made easier with the National Firearms Act, under which all automatic weapons must be registered with the ATF. Of the 240,000 automatic weapons registered with the ATF as of March 1995, about 7,700 machine guns and submachine guns were reported stolen.

DoJ grants to make it harder for criminals to run from their pasts

Continued from Page 1

Carolina, \$1.1 million; Utah, \$642,653, and Vermont, \$1.9 million. Washington, D.C., is receiving \$50,000 in technical assistance.

"These grants will help make the Brady Bill work, but they do so much more," Attorney General Janet Reno said July 12. "Complete, accessible records can help law enforcement prevent crimes before they occur. We are a long way from a national system,

but today's grants help get us there."

Dr. Jan Chaiken, director of the Bureau of Justice Statistics, the Justice Department agency that administers the grants, added that the awards will "make it easier to keep felons from illegally purchasing firearms, identify repeat criminal offenders subject to 'three strikes' laws, prevent sex offenders from working with children and the elderly, and avoid the pretrial release of offenders who pose a danger

to the community."

Justice Department officials said the states receiving awards last month were the first to apply for the funds, which are available to every state that applies for them this year. States with no automated criminal history records that have been designated by the program as "priority" states will receive \$1 million in supplemental assistance so they can move faster through the automation process.

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Police Leadership in the 21st Century

Goodbody:

Training & educating the C-OP officer

By William L. Goodbody

Training and professionalism are interwoven concepts. A cursory glance at the occupations that have "professional" status (doctors, teachers, lawyers, nurses) reveals that education and training are strict requirements and not simply recommended or preferred. These key elements of professionalism have historically been missing in police work. Despite numerous calls for increased education and training for police officers, the fact remains that most departments ask only that a police recruit be 20 years old and have a high school diploma. Add to this the fact that, historically, police academy training has had little credibility.

Calls for more education and improved training for police officers are once again being sounded. This renewed interest in education and training is a direct consequence of the higher professional standards demanded by a community policing philosophy. The challenge will be to move from the present state of affairs — minimal requirements — to the levels of education and training necessary to professionalize police work. When one reads what is to be the new role and function of a police officer, given a community policing orientation, the first thought that comes to mind is how can we make this transition. Grounded in the new role and function of the police, this new job description suffers from the same eclectic and unwieldy tendencies.

This "new" community police officer has been described as a self-starting innovator, information processor, community organizer, crime analyst, counselor, street-corner politician, arresting officer, school liaison, and community

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Community Policing: The View from the Sergeant's Desk (Last article in a series.)

leader. Add to this the need to be proficient in public speaking and communication skills, conflict resolution and negotiating, problem-solving, community demographics, a working knowledge of other city and social agencies and, finally, a functional knowledge of computers and the ability to type. It is quite a résumé. While even more skills can be extracted from the literature to add to this job description, it becomes necessary to take a step back and consider whether this proposed "super cop" is stretching things a bit. Some of the skills mentioned above are, in full or in part, possessed by police departments in the form of specialized officers or units. Decreasing the reliance on the police officer or unit that specializes in one area is a goal of community policing — and runs counter to the historic trend toward increased reliance on specialization that we have seen in other professions. While the community police officer will be a broad-based general practitioner, it is also true that complexity breeds specialization, and specialists will remain a part of modern policing. In any event, training everyone in the organization for this new community-oriented way of policing is critical to its success. Even the specialist will have to adjust to the changing nature of how they now support the patrol function.

It is unrealistic to believe that police departments will suddenly be able to recruit people who possess the skills needed to be community police officers. Many researchers have called for a college requirement for policing as a way to begin professionalizing the rank and file. Requiring a college degree, and encouraging it for current members of the service, is a good starting point. Perhaps one way to accomplish this goal would be to encourage a community college

system, currently required in some states, where people interested in law enforcement could earn the certification required by the police profession (where such certification is in fact required). Working closely with police departments, community colleges could offer the type of courses that lay the foundation for the training that will take place at the police academy. Because community colleges tend to be more affordable and accessible, people from diverse ethnic and racial

backgrounds could be encouraged to enroll. In addition to providing the core curriculum associated with higher education, the program could be tailored to meet the needs of problem-solving and community policing. By making education a necessary part of career advancement, which most professions do, police departments can encourage in-service officers to complete degree requirements.

"Qualifications and standards will separate the motivated from the rest long before the entrance exam is even offered. Those who are so inspired will do what they must in order to work in the police profession. Most of the others will simply go elsewhere."

Establishing some minimum qualifications for police work is long overdue. Requiring a two-year degree in criminal justice from a certified community college program would be a reasonable place to begin. A two-year degree requirement will increase the probability that those who enter the police academy are motivated to be police officers. Currently, as with other profes-

sions, there are requirements and standards one must meet in order to be considered for a place in the academy. In theory, this should elevate the occupational status of policing and, consequently, result in a larger pool of qualified applicants. At the community college level, the competition to be accepted into, and complete, a nursing program is fierce. Qualifications and standards will separate the motivated from the rest long before the entrance exam is even offered. Those who are so inspired will do what they must in order to work in the police profession. Most of the others will simply go elsewhere.

Police training is actually a very complicated process. While the academy concentrates on more academic subjects, or at least treats them that way, recruits are being socialized into an occupation whose subculture is synonymous with being "a way of life." Much of the police ethnographical literature focuses on patrol work as the primary agent of the socialization process. It is often a rite of passage to dismiss everything one has learned at the police academy. Anyone who is serious about reforming policing, or introducing a new policing philosophy, would do well to take the importance of the subculture into consideration. In many occupations, reform is a management decision that entails retraining or redirecting workers. In police work, reform must be "sold" to a workforce that has a strong emotional investment in who they are, and how they perceive their role.

Learning the Art of Policing

The fact that police officers learn their craft in practice will actually prove propitious for departments making the transition to community policing. It means that training can be based both in the field and in the classroom. The professional training literature is organized around a debate, often called the "Merton vs. Becker" debate, that concerns whether professionals are inducted into a profession (classroom) or react to their immediate situation (field-based). While the reaction (field-based) approach does not deny that knowledge and skills are learned in classroom settings, proponents argue that behavior and attitudes are learned through role relation-

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MY DADDY'S
MILITIA'S MORE
PARANOID THAN
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MILITIA!....



STAR TRIBUNE

Policing beyond borders

U.S. keeps a mid-sized police force worth of personnel on overseas duty

The long arm of the law is getting longer.

That conclusion comes from a survey taken earlier this year by the U.S. State Department on the number of American law enforcement personnel assigned to overseas duty.

BURDEN'S BEAT

By Ordway P. Burden

The total number — 1,649 — would make up a medium-size police agency in this country.

Not surprisingly, the Drug Enforcement Administration deploys the greatest number — 499 — in 50 countries around the world. Most, obviously, are working on drug investigations. The Immigration and Naturalization Service, Customs Service and the Coast Guard are all in the 300-plus range for personnel working in other countries.

The FBI is in fifth place, with 121 employees in 26 offices overseas, including one opened last year in Moscow. The FBI's number is likely to grow because last spring it opened an international police training academy in Budapest, Hungary. [See LEN, April 30, 1995.] The Central Intelligence Agency may also get into crime-fighting overseas now that the end of the cold war has diminished its traditional functions.

The military has had a hand in some anti-crime work, too, particularly in drug cases. FBI Director Louis J. Freeh told Congress in March that 460 military personnel had worked on 135 drug investigations and that military aircraft and radar equipment has been used to track drug shipments coming to the U.S. from South America.

The new training academy in Budapest graduated its first class in June. The class comprised police officers from Hungary, the Czech Republic, Slovakia and other former Eastern Block nations who underwent training modeled on that given at the FBI Academy in Quantico, Va. They completed eight weeks of instruction given by agents from American and European law enforcement agencies. The aim is to teach police middle managers in Central and Eastern Europe and the former Soviet republics management techniques, criminal detection, and how laws are applied in democracies.

The training center is housed in a former police academy in Budapest. It is financed by the State Department and the FBI. In justifying the creation of the center, Freeh told *The New York Times* that there is a need for "a centrally located school where we can develop a network of police partners in countries where we do not now have those relationships. The

first graduating class was small compared with the classes at the FBI Academy. But, said FBI spokesman Rex Tomb, "It was historic, and my guess is it will grow in time."

Our overseas crime-fighting effort comes in response to an increase in global crime — narcotics trafficking, international terrorism, smuggling of illegal immigrants, arms smuggling, corruption, fraud, the potential for theft and sale of nuclear materials, money laundering, and a host of other criminal acts. U.S. law enforcement agents are, for example, working on terrorism cases in the Middle East, the Philippines and Pakistan because American citizens have been victims. In Mexico and

were impossible in the old Soviet Union, and so veteran police officers lack the training and equipment, such as computers, to handle them.

Another problem is scams that are not covered by existing laws. Anyone can register as a bank, for example, and solicit deposits. In Moscow alone, at least 70 fake banks have promised high interest rates to bring in money and then have disappeared. Credit cards have started to appear among the newly rich entrepreneurs, and so credit card frauds have plagued the police as well. Although the Moscow police don't have nearly the problem with drug cases that U.S.

police do, there is a growing sale of opium from central Asia. Dealers sell raw opium in half-gram chunks called "chets" for 25,000 rubles, or about \$5. A busy dealer might sell 10 ounces a day and gross \$2,500. Drugs and money don't change hands on the spot. Instead, the buyer hands over the money and is told where to find the chet — usually in some odd place like taped underneath the handset in a public telephone booth.

Before the dissolution of the Soviet Union, the uniformed police, or militia, were feared and respected, if only because they had uncommon powers by Western

The Global Reach of U.S. Law Enforcement

AGENCY	Permanently Assigned Overseas	Countries	Assigned to Border Offices
Drug Enforcement Admin.	499	50	
Immigration & Naturalization	340	19	
Customs Service	323	25	1,000+
Coast Guard	296	20	500+
F.B.I.	121	26	1,000+
Internal Revenue Service	51	17	
Secret Service	14	3	
Bureau of Alcohol, Tobacco & Firearms	5	3	
Totals:	1,649		2,500+

Source: U.S. State Department

South America, our personnel are conducting joint anti-drug operations with local police.

There is a bit of good news on the international front: overall crime in Russia appears to be decreasing. After soaring four-fold from 1988 to 1992, Russia's crime totals last year dropped by 6 percent, according to police there. But it's a good news/bad news story, because the murder rate continues to soar even as the number of rapes and assaults declined. Thefts dropped by 17 percent and robberies by 19 percent.

Organized crime is thriving in Russia and is being exported to other countries, including the U.S. The rising murder rate is attributed largely to organized crime gang shootouts and contract killings of businessmen. The Interior Ministry reports much economic crime with which the police are ill-equipped to deal. Such white-collar crimes as fraud and money-laundering

standards. No longer. Today the public sees the militia as corrupt and incompetent. Police stations in Moscow are inadequately furnished; in a typical station, there might be 180 officers assigned and one computer on the premises. Experienced officers of the rank of captain are paid \$120 a month, about one-tenth of what they could earn as bodyguards for the newly rich. Only the truly dedicated stay on the job.

(Ordway P. Burden is president of the Law Enforcement Assistance Foundation and chairman of the National Law Enforcement Council. He welcomes correspondence to his office at 24 Wyndham Court, Nanuet, NY 10954-3845. Seymour F. Malkin, the executive director of LEAF, assisted in the preparation of this article.)

Rough road ahead:

Mass. Legislature to tackle road details

Continued from Page 1

on police road details in the other 49 states. As of mid-July, Jajuga, a former State Police lieutenant who retired with 21 years of service, had received 35 responses, according to his spokesman, Kevin O'Leary. Jajuga plans to compile a report on his findings, which will include analyses on the number of accidents at sites that had police or flaggers in place.

O'Leary hinted that the report will contain "some startling numbers" when it is released in September.

Jajuga "has no stance on it right now," said O'Leary. "This is politically risky for him. Either way he goes, he's not going to be a popular man, but he wants to look into this thoroughly and find out what's right and what's wrong about it."

Regardless of what happens at the state level, local officials are moving ahead with their own reform efforts, crafting by-laws and ordinances to curtail the practice and allow the use of private flaggers in some cases. The Town of Halifax, about 30 miles southeast of Boston, approved a measure to allow the use of private flaggers in some instances. State Attorney General Scott Harshbarger is conducting what spokes-

man Ed Cafasso called a "routine review" of the by-law to determine whether proper procedures were followed and whether it violates any existing state or Federal statutes.

Harshbarger is expected to complete the review sometime this month, Cafasso told LEN.

In Lowell, a city councilman's effort to reform the practice met with a threat from police union officials to file a complaint with the state Labor Relations Commission. But Matt Donahue, who heads a City Council subcommittee on police details, is continuing with the fact-finding effort and will present a report on his findings to the Council this month. The report, he told LEN, will include recommendations on possible reforms.

Donahue said he was motivated to tackle the politically touchy issue because of the estimated \$80 million to \$100 million spent in the state on police road details each year — mostly by private companies or individuals. "In Lowell, we paid \$1.2 million for police details — the lion's share of that is for roadside construction and opening manhole covers. The question that obviously comes up is why?"

Donahue presided over a public

hearing on the issue July 5 in which he learned that Lowell police receive no training in traffic control duties related to road details. "That was testified to by our chief [Supt. Edward Davis]. There's a feeling that only police are qualified [for the job], but they're not."

Donahue added that the city is liable for any injuries sustained by officers working on off-duty road details.

Lowell police Insp. Bryan McMahon, a 12-year veteran of the agency who is vice president of the International Brotherhood of Police Officers Local 382, said Donahue backed off from his initial effort to go ahead with reforms, after the city solicitor ruled the council had no authority "to interfere with collective-bargaining issues."

"Our position is that this is a public safety issue and a collective bargaining issue," said McMahon, one of several IBPO officials attending the July 5 hearing. "We have a provision within our contract that only permanent, full-time Lowell police officers will be assigned to a number of areas deemed by the Police Superintendent to [constitute] a public safety issue."

McMahon reiterated that any attempt by the Council to "interfere

with our collective bargaining agreement [will] result in legal action."

The position taken by Local 382 is backed by the national IBPO, said David Bernard, national vice president of the union. He contended that in recent years, police officers have made concessions to budget-strapped cities in labor contracts negotiations.

"The unions and employers have been able to negotiate increases in detail pay and benefits in lieu of giving police officers a cost-of-living adjustment because they're strapped for money," he said. "It's really ironic that you've got some municipal offi-

cials slapping that whole negotiating process right in the face because police made concessions for increases in detail benefits."

Despite those arguments, Donahue said he remains "skeptical" of police assertions that no compromise can be reached. "In Lowell, their big contention was that they gave up their 'super-holidays' — triple-overtime payments — and they gave that up in exchange for using police details to supplement their income." That argument means that police are not "guaranteed one job through Civil Service; they're guaranteed two," Donahue said.

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Time to rethink academy & field training

Continued from Page 8

ships in the field. In police work, we must add to this that the values and norms that govern how cops ply their trade are learned through the subculture and often transcend the formal organization. Virtually every police ethnography ever written has completely focused on how officers learn and practice by doing. This is not unusual. The art of teaching, like police work, is learned in the field. For most professions, and specifically police officers, notes Schon (1987), a major obstacle to academic training has been that "real-world problems are not well-formed structures for applying theory and techniques derived from systematic, scientific knowledge. They are more likely to be messy, indeterminate situations." Police work, and particularly community policing, incorporates at its essence a highly interactive situational element. In the police academy, Schon notes, instructors struggle to explain "non-logical processes — the skillful judgments, decisions and actions undertaken spontaneously without being able to state the rules or procedures followed."

While classroom-based academy learning has an important role in po-

lice training, the preponderance of evidence indicates that training should be tailored to reflect how people learn the art of their craft. This is not a call for sacrificing theory and content for methods in police training. It was Van Maanen (1975) who pointed out that while training and development methodologies are useless if one does not have a well-defined theoretical context in which to apply them, this construct must be juxtaposed with the philosophy that we learn what we do. "The critical context of any learning experience," note Postman and Wein-gartner (1969), "is the method or process through which learning occurs. It is not what you say to people that counts, it is what you have them do." It is the latter part of this equation that has been most lacking in police training.

The logical conclusion is that field practice and internships should become part of police training. This is preferable to simply trying to blueprint community policing into existing curriculums and training practices. This sort of piecemeal, path-of-least-resistance strategy will only serve to separate community policing from the traditional topics. If the goal is to restructure policing from a reactive to a proactive approach, then training will have to reflect this change. If professionals learn best by doing, then it stands to reason that doing should be part of the training process.

Field internships are common among the professions. In police work, a recruit's field internship usually follows formal academy training, but is not connected to formal training in any coherent manner. Most field trainers have no connection to the academy. The theory here is that recruits must first be indoctrinated into formal rules and procedures before they have any significant contact with the peer group, the realities of patrol work, and the subculture. It has been assumed that all those sticky indeterminate real-world situations, ethical considerations and normative dictates of the subculture were beyond the realm of the police academy. Indoctrinate first, and hope for the best. This approach has

failed primarily because role models and reference groups are critical to a young officer's socialization. The danger here, and now for community policing, has always been that the rookie cop is exposed solely to the occupational orientations of a reference group attached to specific skills and types of knowledge that are becoming increasingly incomplete (Simpson, 1976). Consistent with the continuance of an individual's work habits, even in a rapidly changing environment, the

have a formal academy training period followed by a field-training program. The combination of academy and field training run from 5 to 10 months, with variations on either end. In order to incorporate the training necessary for community policing and problem-solving, existing time frames will have to be rearranged. Community policing does not presuppose that existing training is now obsolete. While current procedures will have to be modified, the law, firearms and tactics, human

in training along with the role transitions the recruit is making. There is a much better chance of this happening if the training is placed in a real-world context.

After this middle, classroom-based training period, recruits could now enter a structured field-training program that is coordinated with the academy. In addition to the problem-solving aspects of this training, it is imperative that recruits are also exposed to the daily grind of police patrol work. The nature of what cops have to do will not change with community policing. Officers will still have to handle violent situations, emotionally disturbed people, arrest situations, paperwork, disputes, and most else of what they now deal with. None of this can or should be neglected. As every experienced street cop knows, a recent FBI study of convicted cop killers verified that officers who let situations get out of control, or did not exert their authority, were most likely to be hurt or killed in the line of duty. Changing the way police work is organized does not change the often violent reality of police patrol. It is imperative, therefore, that recruits be exposed in this field training to the types of assignments they will inevitably perform on a daily basis. Because of this, tactics and self defense will always be sacrosanct to police training.

Following the field-based internship, a final segment of training would take place back at the academy and deal with the serious issues of modern policing, as well as the more sophisticated techniques associated with problem-solving community policing. Departments struggling with time constraints could opt to have the recruits remain in the field and return to the academy one day a week, for example, over a longer period of time. There are numerous workable variations to this training proposal. When we accept the premise that policing is best learned in action, we move away from the constrictions of a classroom-based training philosophy.

The most defining feature of this new approach to police training is that it is based in working realities. It treats both philosophical and operational issues in a situational context that enables police recruits to discuss them from an informed position. Reality and theoretical concepts collide in the classroom and in the field, rather than being treated as mutually exclusive. This will benefit all aspects of police training, including the more traditional topics. While subjects are often taught separately for logistical reasons, it is important that police training incorporate interdisciplinary workshops and role plays to give the recruit a larger perspective. Field experience would also enhance this interdisciplinary approach.

Training and professionalism are crucial to the success of problem-solving community policing. Before we empower a workforce with the ability to control many aspects of the work process, it is imperative that they have been prepared to assume these greater responsibilities. Increased educational requirements must be coupled with a training process that reflects the new role people will have in the organization. The training must also be made more relevant to how people learn their trade and the art of their craft.

"If the goal is to restructure policing from a reactive to a proactive approach, then training will have to reflect this change. If professionals learn best by doing, then it stands to reason that doing should be part of the training process."

novice officer would learn the skills and habits that this group defines as "the way to do the job." The persistence of socialization creates problems for occupations when older practitioners continue to use obsolete knowledge and skills (Simpson, 1976). Without changing the formal training process, those hoping to convert policing to a problem-solving mode are facing a never-ending cycle of officers disposed to occupational orientations that are incongruous with the changing nature of their role. Similar arguments can be made concerning the introduction of human-relations training to police work. It is difficult to teach human relations, which is highly interactive and context-dependent, in a classroom to recruits who have little experience to draw upon. Having some insight into family disputes, or the types of problems officers are dealing with in practice, would greatly enhance the training process. Highly interactive and context-dependent subject matter requires work experience and innovative teaching techniques in order to bridge the gap between theory and practice.

Police Training: A Proposal
Most police departments currently

relations training, and other topics will remain cogent to the knowledge and skills of police officers.

The first step in restructuring the training program is to view it as one continuous process and not divide it into artificial and unrelated segments. For example, if the training were a nine-month process, classroom training, internships and structured field experience could be combined in any way the department deemed most advantageous. Hypothetically, the program might begin with formal classroom training in rules and procedures and the law, and combined with physical training and firearms and tactics. Some initial instruction in community policing, problem-solving and human relations could also begin.

After this introduction to policing, recruits would leave the academy for a period of field training. Field experience could then be followed by another formal training period at the academy, which would be more complex and would include the beginning in earnest of interactive and context-dependent subjects. The obvious advantage to this is that recruits would have some experience of their own to draw upon. Instructors would not have to waste valuable time explaining the context and "setting the stage." With some shared common ground, lessons could cut to the quick and delve into theory and its application in practice. Examples could come from the recruits themselves as classroom discussions in such areas as interviewing victims, corruption, brutality, family disputes and problem-solving take on a real-world context.

As a former social science instructor at the New York City Police Academy, I know how difficult it was to teach these very complicated issues to people who had little, if any, knowledge of what was being discussed. Even recruits who objected to a human-relations approach had a hard time formulating an argument when they had no context to draw upon. Now some of these sensitive and complicated issues will take on a whole new meaning. In the end, allowing recruits to discuss such issues from an informed perspective will be beneficial to the police agency. These issues do not disappear once recruits leave the hallowed halls of the academy. At least now they may be treated in a manner that will have some lasting impact. The goal is to effect transitions

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Upcoming Events

SEPTEMBER

6-7. Concealment Areas Within a Vehicle. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$325.

6-8. Deadly Physical Force: Police-Involved Shootings. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$450

6-8. Use of Force: Deadly & Non-Lethal. Presented by Rollins College. Orlando, Fla. \$275

6-8. The Reid Technique of Interviewing & Interrogation. Presented by John E. Reid & Associates. Norfolk, Va. \$520

6-8. The Reid Technique of Interviewing & Interrogation. Presented by John E. Reid & Associates. London, England. \$575

6-8. Field Training Program for Communications Officers. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$350.

6-8. Street Survival '95. Presented by Calibre Press. Indianapolis. \$179/\$155/\$105

11-13. The Reid Technique of Interviewing & Interrogation. Presented by John E. Reid & Associates. Albany, N.Y. \$520.

11-13. Drug-Trak IV Training. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$395.

11-14. The Reid Technique of Interviewing & Interrogation. Presented by John E. Reid & Associates. Chicago. \$575.

11-15. Law Enforcement Ethics: Train the Trainer. Presented by the Southwestern Law Enforcement Institute. Dallas. \$295.

11-15. Gang Resistance Education & Training for Mentors. Presented by the Federal Law Enforcement Training Center, National Center for State & Local Law Enforcement Training. Tucson, Ariz.

11-15. Crisis Management Training. Presented by the Federal Law Enforcement Training Center, National Center for State & Local Law Enforcement Training. Glynco, Ga.

11-15. Archeological Resources Protection. Presented by the Federal Law Enforcement Training Center, National Center for State & Local Law Enforcement Training. Glynco, Ga.

11-15. Seminar for the Field Training Officer. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$450.

11-15. Police Internal Affairs. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$450.

11-15. Inspection & Investigation of Commercial Vehicle Accidents. Presented by the Institute of Police Technology & Management. New Brantree, Mass. \$450.

11-21. Questioned Documents. Presented by the Federal Law Enforcement Training Center, National Center for State & Local Law Enforcement Training. Glynco, Ga.

11-22. Accident Investigation I. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$600.

11-22. Supervision of Police Personnel. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$800.

11-22. Telecommunications Fraud. Pre-

sented by the Federal Law Enforcement Training Center, National Center for State & Local Law Enforcement Training. Glynco, Ga.

11-22. Small Craft Enforcement. Presented by the Federal Law Enforcement Training Center, National Center for State & Local Law Enforcement Training. Glynco, Ga.

11-22. Firearms Instructor Training. Presented by the Federal Law Enforcement Training Center, National Center for State & Local Law Enforcement Training. Glynco, Ga.

11-22. Drug Law Enforcement School for Investigators. Presented by the Federal Law Enforcement Training Center, National Center for State & Local Law Enforcement Training. Glynco, Ga.

11-22. Criminal Investigations in an Automated Environment. Presented by the Federal Law Enforcement Training Center, National Center for State & Local Law Enforcement Training. Glynco, Ga.

11-22. Advanced Environmental Crimes Training. Presented by the Federal Law Enforcement Training Center, National Center for State & Local Law Enforcement Training. Glynco, Ga.

12-22. Advanced Explosives Investigative Techniques. Presented by the Federal Law Enforcement Training Center, National Center for State & Local Law Enforcement Training. Glynco, Ga.

13-14. Women in Public Safety. Presented by Hocking College. Nelsonville, Ohio. \$90.

13-15. A Dilemma: The Marginal Police Employee. Presented by Rollins College. Orlando, Fla. \$225

13-15. Financial Investigation Methods to Prove Forfeiture & Financial Crime. Presented by the Investigation Training Institute. San Francisco. \$595.

15-18. Yacht & Maritime Security. Presented by the Executive Protection Institute. Annapolis, Md.

18-19. Seatbelt/Child Restraint Accident Investigation. Presented by the Institute of Police Technology & Management. Miami, Fla. \$295.

18-19. Quality Management for Managers. Presented by the Southwestern Law Enforcement Institute. Dallas. \$195

18-20. Computerized Traffic Accident Reconstruction I: Introduction to EDCRASH. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$400

18-20. The Video Age — A Tool for Law

Enforcement. Presented by Rollins College. Orlando, Fla. \$225

18-20. The Reid Technique of Interviewing & Interrogation. Presented by John E. Reid & Associates. Denver. \$520

18-20. The Reid Technique of Interviewing & Interrogation. Presented by John E. Reid & Associates. Las Vegas. \$520.

18-20. Tactical Groundfighting. Presented by Modern Warrior Inc. Lindenhurst, N.Y. \$300.

18-20. Financial Investigation Methods to Prove Forfeiture & Financial Crime. Presented by the Investigation Training Institute. Dallas. \$595

18-22. Crime Scene Technology I. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$600.

18-22. International Homicide Investigation Seminar. Presented by Hocking College. Scottsdale, Ariz. \$450

18-22. Investigation of Motorcycle Accidents. Presented by the Institute of Police Technology & Management. New Brantree, Mass. \$450

18-22. Managing Criminal Investigators & Investigations. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$495.

18-22. Homicide Investigation. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$450

18-22. Advanced Narcotic Investigation. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$450

18-22. Street Gangs Identification & Investigation. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$450

18-22. Police Traffic Radar Instructor Course. Presented by the Institute of Police Technology & Management. Phoenix. \$450.

18-29. Advanced Cause & Origin/Courtroom Techniques. Presented by the Federal Law Enforcement Training Center, National Center for State & Local Law Enforcement Training. Glynco, Ga.

19-20. Perspectives on Transit Security in the 90's. Presented by the Federal Transit Administration by Hernandez Engineering Inc. Chicago

19-21. Street Survival '95. Presented by Calibre Press. Springfield, Mo. \$179/\$155/\$105

19-28. Advanced Physical Security. Presented by the Federal Law Enforcement Training Center, National Center for State &

Local Law Enforcement Training. Glynco, Ga.

20-21. Seatbelt/Child Restraint Accident Investigation. Presented by the Institute of Police Technology & Management. Lakeland, Fla. \$295.

20-22. Police Undercover & Covert Operations. Presented by Rollins College. Orlando, Fla. \$265

20-22. Implementing Quality Management. Presented by the Southwestern Law Enforcement Institute. Dallas. \$295.

21-22. Computerized Traffic Accident Reconstruction II: Introduction to EDCAD. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$300.

21-22. Tactical Straight Baton. Presented by Modern Warrior Inc. Lindenhurst, N.Y. \$300

25-27. The Reid Technique of Interviewing & Interrogation. Presented by John E. Reid & Associates. San Juan, P.R. \$520.

25-29. Basic Financial Crime Investigation. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$500

25-29. Crime Scene Technology II. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$650

25-29. Microcomputer-Assisted Traffic Accident Reconstruction — EDCRASH. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$700

25-29. Seaport Security/Anti-Terrorism Training. Presented by the Federal Law Enforcement Training Center, National Center for State & Local Law Enforcement Training. Glynco, Ga.

25-29. Computer Evidence Analysis. Presented by the Federal Law Enforcement Training Center, National Center for State & Local Law Enforcement Training. Glynco, Ga.

25-29. Criminal Patrol Drug Enforcement. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$450

25-29. Police Applicant Background Investigation. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$450.

25-29. Advanced Hostage Negotiations. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$450

25-Oct. 6. Accident Investigation II. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$800

For further information:

(Addresses & phone/fax numbers for organizations listed in calendar of events.)

Calibre Press, 666 Dundee Rd., Suite 1607, Northbrook, IL 60062-2727. (800) 323-0037.

Executive Protection Institute, Arcadia Manor, Rte 2, Box 3645, Berryville, VA 22611 (703) 955-1128.

Federal Law Enforcement Training Center, National Center for State & Local Law Enforcement Training, Building 67, Glynco, GA 31522-9977 (800) 743-5382. Fax (912) 267-2894

Hernandez Engineering Inc., 7701 Greenbelt Rd., Suite 204, Greenbelt, MD 20770 (301) 441-3204 Fax. (301) 441-9442

Hocking College, Attn Deb Fraunfelder, Marketing Services Manager, 3301 Hocking Parkway, Nelsonville, OH 45764-9704 (614) 753-3591

Institute of Police Technology & Management, University of North Florida, 4567 St Johns Bluff Rd So., Jacksonville, FL 32216 (904) 646-2722

Investigation Training Institute, P.O. Box 669, Shelburne, VT 05482 (802) 985-9123.

Justice Planning & Management Associates, P.O. Box 5260, Augusta, ME 04332 (207) 582-3269

Justice Research & Statistics Association, 444 N Capitol St., NW, Suite 445, Washington, DC 20001 (202) 624-8560 Fax. (202) 624-5269

Modern Warrior Inc., 711 N Wellwood Ave., Lindenhurst, NY 11757. (516) 226-8383

National Criminal Justice Training & Assessment Institute, Raleigh, NC. (919) 787-4757 Fax. (919) 787-9236

New England Institute of Law Enforcement Management, P.O. Box 57350, Bab-

son Park, MA 02157-0350. (617) 237-4724

Northwestern University Traffic Institute, 555 Clark St., P.O. Box 1409, Evanston, IL 60204. (800) 323-4011.

Office of International Criminal Justice, University of Illinois-Chicago. (312) 996-5201 Fax (312) 413-2713

Pennsylvania State University, Attn Carolyn Andersen, 225 Penn State Scanticon, University Park, PA 16802-7002 (814) 863-5140. Fax (814) 863-5190.

Performance Dimensions Inc., P.O. Box 502, Powers Lake, WI 53159-0502. (414) 279-3850 Fax (414) 279-5758.

Portland Police Bureau, Attn: Jane Braaten, 1111 S.W. 2nd Ave., Portland, OR 97204 (503) 823-0292. Fax (503) 823-0289.

Public Safety Training Inc., P.O. Box 106, Oak Harbor, OH 43449 (419) 732-2520.

R.E.B. Security Training Inc., P.O. Box 697, Avon, CT 06001 (203) 677-5936 Fax: (203) 677-9635

John E. Reid & Associates Inc., 250 S. Wacker Dr., Suite 1100, Chicago, IL 60606. (800) 255-5747. Fax: (312) 876-1743.

Rollins College, Public Safety Institute, 1000 Holt Ave., #2728, Winter Park, FL 32789-4499 (407) 647-6080 Fax (407) 647-3828.

Southwestern Law Enforcement Institute, P.O. Box 830707, Richardson, TX 75083-0707. (214) 690-2394 Fax: (214) 690-2458

TEEX — Law Enforcement & Security Training Division, Texas A&M University System, College Station, TX 77843-8000 (800) 423-8433 or (409) 845-6391 Fax. (409) 862-2788



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Law Enforcement News

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August 20, 1995

Criminal firepower: more of it, and more powerful:

Cops have long suspected it, and now a Justice Department study confirms: Criminals are using more powerful handguns, and using them more frequently in the commission of crimes. **Page 7.**

The ACLU is a-gassed. . .

. . . about the continuing police use of pepper spray, and 27 in-custody deaths that the group says are linked to it. The issue may end up in the hands of a U.S. regulatory agency. **Page 5.**

Radical remake for training:

That's the prescription offered by a veteran New York City supervisor in order to make problem-oriented community policing — and police professionalism in general — viable. **Forum, Page 8.**

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